

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 367, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 9-24-2-1 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) A driver's license or a
4 learner's permit may not be issued to an individual less than eighteen
5 (18) years of age who meets any of the following conditions:
6 (1) Is a habitual truant under IC 20-8.1-3-17.2.
7 (2) Is under at least a second suspension from school for the
8 school year under IC 20-8.1-5.1-8 or IC 20-8.1-5.1-9.
9 (3) Is under an expulsion from school under IC 20-8.1-5.1-8,
10 IC 20-8.1-5.1-9, or IC 20-8.1-5.1-10.
11 (4) Has:
12 **(A) withdrawn from school before graduating** for a reason
13 other than financial hardship and the withdrawal was reported
14 under IC 20-8.1-3-24(a); ~~before graduating; or~~
15 **(B) either:**
16 **(i) failed to return to school at the beginning of a**
17 **semester; or**
18 **(ii) stopped attending school during a semester;**
19 **and has not participated in an exit interview under**
20 **IC 20-8.1-3-17.7 and with respect to whom there is no record**

of transfer to another school.

(b) At least five (5) days before holding an exit interview under ~~IC 20-8.1-3-17(b)(2)~~, **IC 20-8.1-3-17.7**, the school corporation shall give notice by certified mail or personal delivery to the student, the student's parent, or the student's guardian of the following:

(1) That the exit interview will include a hearing to determine if the reason for the student's withdrawal is financial hardship.

(2) If the principal determines that the reason for the student's withdrawal is not financial hardship:

(A) the student and the student's parent or guardian will receive a copy of the determination; and

(B) the student's name will be submitted to the bureau for the bureau's use in denying or invalidating a driver's license or learner's permit under this section.

(c) Upon determining that a student has failed to return to school at the beginning of a semester or has stopped attending school and has not participated in an exit interview under IC 20-8.1-3-17.7, the student's principal shall:

(1) report the student under IC 20-8.1-3-24(a); and

(2) submit the student's name to the bureau for the bureau's use in denying or invalidating a driver's license or learner's permit under this section."

Page 2, delete lines 1 through 8.

Page 2, line 20, strike "the date on which".

Page 2, line 20, delete ":" and insert **"meets one (1) of the following conditions, whichever occurs first:"**.

Page 2, line 21, delete "graduates;" and insert "Graduates."

Page 2, line 22, strike "reaches" and insert **"Is less than eighteen (18) years of age but is"**.

Page 2, line 26, delete ";" and insert ".".

Page 2, line 26, strike "or".

Page 2, line 27, delete "reaches" and insert "Reaches".

Page 2, line 27, delete ";" and insert ".".

Page 2, strike line 28.

Page 4, delete lines 38 through 40, begin a new paragraph and insert:

"(c) The following must be in written form:

1 **(1) A request to withdraw from school.**

2 **(2) A parent's consent to a withdrawal.**

3 **(3) A principal's consent to a withdrawal."**

4 Page 4, line 41, delete "(c)" and insert "(d)".

5 Page 5, line 3, delete "(d)" and insert "(e)".

6 Page 5, delete lines 5 through 6, begin a new line block indented and
7 insert:

8 **"(1) The total number of individuals:**

9 **(A) who withdraw from school under this section; and**

10 **(B) who either:**

11 **(i) failed to return to school at the beginning of a**
12 **semester; or**

13 **(ii) stopped attending school during a semester;**

14 **and for whom there is no record of transfer to another**
15 **school."**

16 Page 5, delete lines 9 through 42, begin a new paragraph and insert:

17 "SECTION 4. IC 20-8.1-4-12 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 12. (a) **Except as**
19 **provided in subsection (b),** upon presentation of the documents
20 required by section 7 of this chapter, an employment certificate shall be
21 issued immediately to the child. ~~However, an issuing officer may deny~~
22 ~~a certificate to a child:~~

23 ~~(1) whose attendance is not in good standing; or~~

24 ~~(2) whose academic performance does not meet the school~~
25 ~~corporation's standard.~~

26 **(b) An employment certificate may not be issued to a student**
27 **who meets any of the following conditions:**

28 **(1) Is a habitual truant under IC 20-8.1-3-17.2.**

29 **(2) Is under at least a second suspension from school for the**
30 **school year under IC 20-8.1-5.1-8 or IC 20-8.1-5.1-9.**

31 **(3) Is under an expulsion from school under IC 20-8.1-5.1-8,**
32 **IC 20-8.1-5.1-9, or IC 20-8.1-5.1-10.**

33 **(4) Has:**

34 **(A) withdrawn from school before graduating for a reason**
35 **other than financial hardship and the withdrawal was**
36 **reported under IC 20-8.1-3-24(a); or**

- 1 **(B) either:**
- 2 **(i) failed to return to school at the beginning of a**
- 3 **semester; or**
- 4 **(ii) stopped attending school during a semester;**
- 5 **and has not participated in an exit interview under**
- 6 **IC 20-8.1-3-17.7 and with respect to whom there is no record**
- 7 **of transfer to another school.**
- 8 **(5) Does not meet the academic performance standards of**
- 9 **the school corporation.**
- 10 ~~(b)~~ **(c)** Within five (5) days, the issuing officer shall send a copy of
- 11 the employment certificate to the department of labor. The issuing
- 12 officer shall keep a record in his office of each employment certificate
- 13 issued.
- 14 ~~(c)~~ **(d)** A student may appeal the denial of a certificate under
- 15 subsection ~~(a)~~ **(b)** to the school principal. **A principal may allow a**
- 16 **certificate to be issued if the principal determines the issuance is**
- 17 **in the best interests of the student.**
- 18 SECTION 5. IC 20-8.1-4-3 IS REPEALED [EFFECTIVE JULY 1,
- 19 2004].".
- 20 Delete page 6.
- 21 Renumber all SECTIONS consecutively.
- (Reference is to SB 367 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Kenley

Chairperson